

REMARKS

In the Office action dated September 1, 2005, the drawings were objected to under 37 C.F.R. 1.83(a) for failing to show the operative connection of the many components of the invention as described in the specification. Regarding the specification, the amendments to the specification in Applicants previous response were not entered because two of the requested entries included the wrong page number. Claims 1-6, 10, 13-15, and 17-19 were rejected under 35 U.S.C. 112, first paragraph, for failing to comply with the written description and enablement requirements. Claims 1-6, 10, 13-15, and 17-19 were further rejected under 35 U.S.C. 112, second paragraph, as being indefinite. The disclosure was furthermore objected to for informalities and for failing to provide antecedent basis for the claimed subject matter.

In this response, Applicants have resubmitted the amendments to the specification from the previous response with corrections to the page numbers as suggested by the Examiner. In addition, Applicants have amended Figs. 5 and 6 to more clearly show the location of extension 6b, and have amended claims 1, 4, 19, and 20.

Applicants respectfully request reconsideration of the application in view of amendments and the following remarks.

Explanatory Figures:

For information purposes only, Applicants submit herewith two sheets with three explanatory figures, in which various components of the invention are shown in color so as to better assist the Examiner in understanding the spatial location of the components of the invention. These explanatory figures are not replacement sheets and do not constitute an amendment to the drawings, but are merely submitted as additional clarification and to show that the operative relationships between the components are properly and adequately disclose in the application drawings.

The reference numerals in the explanatory figures correspond to the reference numerals of the patent application. In the closed (first) roof position and the partially opened (third) roof position, the first guide element 6 and the second guide element 7 are only connected via the control lever 5. A movement of the second guide element 7 and also a movement of the roof

panel 1 towards a rear of the vehicle is prevented by the catch lever 12 being pivotally connected to the guide rail 9 via the bearing bracket 10.

The push rod 3 is displaced to the rear of the vehicle within the guide rail 1a parallel to the movement of the first slide element 6, wherein the push rod 3 is connected to the first slide element 6 via the telescopic means B. The rear end of the push rod 3 is guided in a slot 3b (cf. Fig. 10 of the application) of the rail element 4.

When the roof panel 1 comes into its fully opened (second) roof position, the first slide element 6 abuts against the second slide element 7, the latter still being blocked by the catch lever 12. The catch lever 12 which is connected to the guide rail 9 via the bearing bracket 10 is raised by a slant tip end of the first slide element 6 so as to release the second slide element 7. Subsequently, the movement of the first slide element 6 towards a rear of the vehicle also moves the released second slide element 7 in the same direction.

Objections to the Specification:

The disclosure was objected to for informalities. Specifically, the Examiner has asserted that numerous reference numerals have been incorrectly cited or omitted. Specifically, the Examiner refers to reference numerals 5, 5a and that the control lever pivot is not identified by a reference numeral.

Applicants have resubmitted the amendments from the previous response, with corrections to the page numbers in the first two requests. Applicants respectfully submit that reference numeral 5 corresponds to the control lever, as described at page 5, line 32 of the Applicants and as shown in Fig. 5. However, the term "control lever pivot" does not appear in the specification and therefore no reference numeral is given or needed.

Withdrawal of the objections to the disclosure is respectfully requested.

Objections to the Drawings under 37 C.F.R. 1.83(a) with regard to the specification:

The drawings were objected to under 37 C.F.R. 1.83(a) for failing to show operative connection of many components of the invention as described in the specification. Specifically, the Examiner asserts that the engagement of guide 4, the four claimed positions, the interaction

of cam 12b with the first sliding element 6, numerous articulations, the recess of first slide 6, the interaction of element 3a and 4, the interaction of drive block 14 and the control lever 5, and the coupling 11 being released (page 8 of specification) and the stop of page 9.

Applicants have resubmitted the amendments of the specification to correct typographical errors. Applicants submit that these corrections of obvious typographical errors, including in the reference numerals together with the amendments to the drawings, clarifies the specification and obviates many of the Examiner's objections with respect to the specification and drawings.

The four claimed positions of the roof are clearly shown in Fig. 1 (second, fully opened roof position), Fig. 2 (third, partially opened roof position), Fig. 8 (fourth, partially opened roof position according to claim 2). Further, the first, closed roof position is clear to a skilled person would clearly understand from the view of Fig. 1 wherein the roof pin is just moved towards the wind deflector 13.

The interaction of the cam 12b with the extension of the first slide 6 can be taken from Figs. 5 and 6 of the application. The different moving positions of the first slide element 6 are clearly illustrated with reference to the perspective view of Fig. 5 in connection with the plan views of Figs. 7-9. Fig. 5 shows that once the first slide element is moved towards the second slide element 7, the front portion of the slide element 6 pushes underneath the cam 12b of the catch lever 12 such that the hook-shaped end 12a is moved upwardly so as to release the second slide element 7. This is clearly described in the specification on page 6, lines 25-30. In this context, the release of the coupling element 11 means that once the first slide element 6 abuts against the second slide element 7, the coupling element 11, which is articulated on the second slide element 7 (specification page 6, lines 30-33), is first lifted by means of the first slide element 6 then moved down again such that the coupling element 11 engages in a corresponding recess or extension in the first slide element 6. The amendments to claims 5 and 6 of the drawings more clearly show the location of extension 6b as being that portion of slide element 6 which is between the two sides and partially hidden by a portion of support element 1a in Fig. 6, and which is aligned in a longitudinal direction with catch lever 12, cam 12b and coupling element 11. The sequence of this motion is clearly shown in Figs. 8 and 9.

The interaction of the guide element 3a and the rail element 4 is described in the specification, for example at page 5, lines 20-29 and page 7, lines 19-22. Applicants respectfully submit that each of the features are adequately shown in the drawings for example, at Figs. 2, 5, and 10. Fig. 3 of the explanatory figures submitted herewith also show the interaction of the guide element 3a and rail element 4, though Applicants submit that the interaction is clear from the description in the specification and further submit that each of the claimed features are already shown in the drawings.

The interaction of the drive block 14 and the control lever 5 is disclosed in the specification, for example, at page 7, lines 3-5 in connection with Figs. 5 and 6. At disturbed end of the control lever 5 placed to the drive block 14, a pin is fixedly attached (Fig. 6) which is connected to a rear side of the slide block 14. When the disturbed end of the control lever 5 is raised to a sliding movement forward of the first slide element 6 (cf. Fig. 7 to 9) the pin fixedly connected to the control lever 5 lifts the drive block 14 so as to raise the wind deflector lever 13a.

Objections to the Drawings under 37 C.F.R. 1.83(a) with regard to the claimed features:

In addition, the drawings were objected to for not showing each of the features specified in the claims. Specifically, the Examiner asserted that the following features are not shown in the drawings: first and second coupling element [sic: slide element] held by means of a catch element (claim 1), the rail element standing proud of the roof (claim 3), the fourth position parallel to the roof (claim 2), the catch lever releasably fixed to the first slide element (claim 9), entirety of claim 10, the control lever disconnected from the roof panel (claim 20).

The coupling element 11 is a hook which is connected to the second slide element 7 (cf. Fig. 7, Fig. 8). When the first slide element 6 is pushed forwardly toward the second slide element 7, the coupling element engages in a corresponding recess in the first slide element 6 (cf. description page 8, lines 34 to 35, and also Fig. 9). From description page 8, line 37 to page 9, line 3 in conjunction with Fig. 5, and Figs. 7 to 9, a skilled person would understand that when the first slide element 6 is moved forwardly together with the second slide element 7 upon closing the vehicle roof, the coupling element 11 abuts against a stop element in the vicinity of the bearing bracket 10 (Fig. 5). As a result, the coupling element 11 is lifted upwardly so as to be

released from the first slide element 6.

Rail element 4 standing proud of the roof is described at page 5, line 23 and page 3, lines 12-13, and is shown in Fig. 2. The fourth (partially opened) position parallel to the roof, is shown in Fig. 2, and also evident from Fig. 9. Push rod 3 and guide element 3a is shown in Fig. 10.

Catch lever 12 is shown in Fig. 5 and disclosed on page 8, line 25. In addition, Fig. 8 shows that the second slide element 6 forms a slide shoe in which the coupling element 11 in form of a hook is connected.

The subject matter of claim 10 is supported by the description on page 5, lines 20 to 29 in conjunction with Figs. 2 and 10. The control lever being disengaged from the wind deflector as defined in claim 20 is easily understood from Figs. 5 and 6. On the rear side of the drive block 14, a cello is formed in which the pin connected to the control lever is guided. As disclosed at page 4, lines 14-15, the control lever can be disengaged from the wind deflector when opening the roof panel.

Withdrawal of the objections to the drawings under 37 C.F.R. 1.83(a) is respectfully requested.

Rejections under 35 U.S.C. 112, first paragraph:

Claims 1-6, 10, 13-15, and 17-19 were rejected under 35 U.S.C. 112, first paragraph for failing to comply with the written description and enablement requirements.

Applicants respectfully submit that the foregoing discussion with respect to the objections to the drawings and disclosure have obviated the rejections with regard to enablement and written description requirements. The Examiner's specific remarks relating to the function and interaction of coupling element 11 with the other components have been addressed above. The coupling element 11, which is connected to the second slide element 7, is released from the first slide element 6 when the two slide elements 6, 7 are moved forwardly when closing the roof panel.

Withdrawal of the rejections under 35 U.S.C. 112, first paragraph, is respectfully requested.

Rejections under 35 U.S.C. 112, second paragraph:

Claims 1-6, 10, 13-15, and 17-19 were further rejected under 35 U.S.C. 112, second paragraph as being indefinite, with specific objections to claims 1, 4, 19, and 20 being asserted.

Applicants have amended claims 1, 4, 19, and 20. Applicants respectfully submit that those amendments have obviated the grounds for rejections to those claims.

Withdrawal of the rejections to claims 1-20 under 35 U.S.C. 112, second paragraph, is respectfully requested.

CONCLUSION

The present application is respectfully submitted as being in condition for allowance and applicants respectfully request such action.

Respectfully submitted,

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Amendments to the Drawings:

The attached sheet of drawings includes changes to Figs. 5 and 6. This sheet, which includes Figs. 5 and 6 replaces the original sheet, which includes Figs. 5 and 6. In Fig. 5, reference numeral 6b has been deleted. In Fig. 6, reference numeral 6b has been added to more clearly show the location of extension of the slide element 6.

Attachment: One Replacement Sheet